

Remarks:

This Response is responsive to the May 26, 2010 Office Action. Examination and reconsideration of claims 1 and 3-17 are respectfully requested.

Summary of the Office Action

Claims 1 and 4 were objected to because of language informalities. The limitation “a manner that when” is recited however, the use of when implies some action that may or may not take place. If Applicant wishes to replace “when” with “as” claims 1 and 4 would be allowable.

Claims 3, 4 and 14 were rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement because they contain subject matter not described in the specification. In addition, the claims recite the limitation “shapes and sizes...are determined so that” followed by physical constraints. Applicant shows only two different shapes and sizes although there are an infinite number of combinations of shapes and sizes that could make the device work as disclosed.

Claims 3-6, 11-15 and 17 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to point out and distinctly claim the subject matter which Applicant regards as the invention. These claims contain limitations and terms which render the claims indefinite.

Claims 9 and 10 were rejected as being substantial duplicates of each other. Should claim 9 be found allowable, claim 10 will be objected to under 37 CFR 1.75 as being a substantial duplicate of the allowed claim.

Amendments to the Specification

The specification has been amended. Applicant does not believe the scope of the specification has been changed since the amendments relate solely to correcting errors that are clear from the original paragraphs [0030] and [0035] and from original Figures 1 and 4. No new matter has been added.

Amendments to the Claims / Claim Objections

The claims have been amended. The amendments relate to addressing the claim objections and rejections under 35 U.S.C. § 112. Applicant submits that support for these amendments can be found in the disclosure as originally filed, and therefore no new matter has been added. Specifically, support for the claims as amended may be found at least in paragraphs [0028] – [0046] of the Specification as originally filed.

Conclusion:

For the reasons set forth above, applicant believes that claims 1 and 2-17 as amended comply with all formal requirements for patentability.

If examiner Waits believes that a telephone call will be helpful to further address any issues, please call the practitioner at the telephone number below.

Applicant herewith includes the fees for the two-month extension of time and believes that no additional fees are due at this time. If there are any other fees due in relation to submittal of this communication, please charge to deposit account No. 02-2051, Docket No. 30761-2.

Date: October 25, 2010

Respectfully submitted,

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